

STATE ALLOCATION BOARD

1130 K Street, Suite 400
Sacramento, CA 95814

**IMPLEMENTATION COMMITTEE MINUTES**

December 3, 2004

East End Complex
1500 Capitol Avenue, Rooms 72.149B & 72.151A
Sacramento, CA

Members Present

Bruce Hancock, SAB

Lori Morgan, OPSC

Fred Yeager, CDE

Dave Doomey, CASH

Beth Hamby, LAUSD

Bill Cornelison, CSESA

Brian Wiese, AIA

Jay Hansen, SBCTC (morning only)

Dennis Dunston, CEFPI

Constantine Baranoff, SSD

Dennis Bellet, DSA (morning only)

Margie Brown, CASBO (alternate for John Palmer)

Gary Gibbs, CBIA

Blake Johnson, DOF

Debra Pearson, SSDA (morning only)

Members Absent

None

The meeting was called to order at 9:33 a.m.; there were 15 members present and there were no absentees. The minutes from the November 5, 2004 meeting were approved as written.

WILLIAMS SETTLEMENT LEGISLATION**SENATE BILL (SB) 6****General**

The topic was introduced by Bruce Hancock and Lori Morgan and presented by OPSC staff members Lindsay Ross and Masha Lutsuk. Staff expressed that the presentation would concentrate on the items that had been changed and revised as a result of discussion at the November 5th Implementation Committee meeting as well as public comments received by the OPSC. The OPSC stated that since the number of eligible schools on the list published by the California Department of Education had not been finalized at this time, Regulation Section 1859.311 and 1859.321 would remain under review and required further consideration. There was also some discussion on subsection (b) of Section 1859.311 in which concerns were expressed that "newly constructed" plus the 12 months to the date of Division of State Architect (DSA) approval will be problematic for facilities not approved by DSA or large gaps between the date of DSA approval and construction. Staff agreed to further review this section.

School Facilities Needs Assessment Grant Program Regulations

In response to requests for a more streamlined process for reporting the progress made on the Needs Assessment, the OPSC presented the proposed text for the Web-Based Progress Report Survey, which is now a web-based document as described in Section 1859.315. There was extensive discussion on the qualifications of the inspector (Section 1859.314). Some audience members urged the OPSC to require that the inspector be a licensed architect, engineer, general contractor or DSA-certified. A representative of DSA noted that DSA-certified inspectors are not necessary qualified to complete all elements of the assessment. Other audience members expressed the desire for flexibility in the language and the need for independence. The OPSC agreed to continue to review this section. Sections 1859.317 and 1859.318 were modified to provide more clarity to the “supplement, not supplant” requirements of the statute. The audience expressed concerns and presented various ideas for modifying this section to simplify the process and maintain the intent of the statute, which the OPSC will consider.

School Facilities Needs Assessment Grant Program (Form SAB 61-01)

The OPSC presented the changes made on the instructions of the Form SAB 61-01 that defined the date of construction and building square footage. Additional space was provided on the Form SAB 60-01 to account for multiple inspectors participating in the assessment. Discussions continued regarding the feasibility of districts interfacing their existing facility inspection systems with the OPSC needs assessment database. Audience members suggested adding the definition of portable buildings as well as identification for buildings modernized with State funds.

Emergency Repair Program (ERP)

The OPSC presented revised language concerning the use of force account labor specified in Section 1859.323.1(f) and the language in 1859.324(a) regarding contracts, which was a result of discussion at the last meeting. The OPSC clarified the language in Section 1859.323, but there continued to be extensive discussion regarding the replacement versus repair of building systems or structural components, especially when the work is in a portable building. The OPSC clarified that this program is to repair or replace building components that have failed and that an ERP project must be for the mitigation of conditions that in their present state pose a health or safety hazard rather than a potential threat to pupils and staff while at school. However, the OPSC agreed to further review this section. There also continued to be extensive discussion regarding supplement, not supplant requirement in Sections 1859.325 and 1859.327, which the OPSC also agreed to further review and take the audience’s comments under consideration.

SENATE BILL (SB) 550

Staff’s presentation focused on the revisions made to the Interim Evaluation Instrument (IEI) since the November 5, 2004 Implementation Committee meeting.

After the discussion, a suggestion was made to add a sentence to the General Information section of the document stating the form is intended for school district’s use as well as county offices of education in determining good repair. Staff agreed to make this revision.

Finally it was suggested that the IEI be presented as the first topic at the January Implementation Committee meeting. Staff agreed to the request.

ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 3:30 p.m. The next Implementation Committee meeting is scheduled for Thursday, January 6, 2005 at 9:30 a.m. and will be held at the Legislative Office Building, 1020 N. Street Room 100, Sacramento.